



U.S. Department of Justice

Andrew E. Lelling
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February 20, 2019

By Email and First Class Mail

Tim Hoitink, Esq.
Assistant Attorney General
Office of the Attorney General
Commonwealth of Massachusetts
One Ashburton Place
Boston, MA 02108

Re: *Williams et al. v. DeVos*, Civil Action No. 16-11949-LTS

Dear Attorney Hoitink:

I am in receipt of your letter dated February 14, 2019, in which you seek my confirmation of your description of a conversation that we had outside of Judge Sorokin's courtroom on February 5, 2019. Specifically, you wrote that I stated, in effect, "the Department of Education is not treating the DTR as a defense to repayment application except with respect to Plaintiffs Williams and Taveras." Letter at 2.

I recall the conversation; however, my recollection of the substance of the conversation differs from yours. Specifically, the Secretary's position, and what I recall relaying to you, is that the Secretary does not interpret the Court's October 24, 2018 Order (ECF No. 99) in the above-captioned action as requiring the Department of Education to take any action with respect to any individuals other than the two named Plaintiffs in this matter. *See Williams et al. v. DeVos*, Civil Action No. 16-11949-LTS, ECF Nos. 35 (dismissing the complaint to the extent that it sought relief on behalf of persons other than the named Plaintiffs) and 99 (ordering the Secretary to take certain action with respect to the claims of the two named Plaintiffs).

Please feel free to call me should you have any further concerns regarding this litigation.

Very truly yours,

/s/ Jessica P. Driscoll

Jessica P. Driscoll
Assistant United States Attorney